



WEB COPY



vv2W.P.No.27848 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27848 of 2023

A.Balamurugan

... Petitioner

Versus

1.The Chairman cum Managing Director,
NLC India Ltd.,
Corporate Office,
Block-1, Neyveli,
Pincode – 607 801.
Cuddalore District.

2.The Secretary Ministry of Coal & Mines,
'A'-Wing, Government of India,
Shastri Bhavan,
Dr.Rajendra Prasad Marg,
New Delhi – 110 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records in Lr.No.CORP/HR/415/RECTT/2023 dated 25.07.2023 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Sasikala
For R1 : Mr.N.Nithianandam

ORDER

This Writ Petition has been filed to quash the impugned order,
dated 25.07.2023 made in Lr.No.CORP/HR/415/RECTT/2023 by the 1st



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respondent.

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2.Heard the submissions of the learned counsel for the petitioner and the learned counsel appearing for the 1st respondent.

3.On perusal of the records, it is seen that the petitioner has sought for employment under compassionate appointment on account of death of her mother died on 29.04.2000. It is relevant to note that the petitioner's application has been rejected by the 1st respondent on the ground that since the petitioner's mother not died due to Industrial Accident. Such being the position, the scheme of the compassionate appointment cannot be extended in such cases.

4.It is also relevant to note that in the year 2007 itself, the petitioner has sought for information from the 1st respondent in respect of Employment of Wards of the deceased employees. Thereafter, the petitioner was informed *vide* letter in Lr.No.PRD/CPIO/1380/2007-3, dated 19.09.2007 to the effect that his request for providing employment to the dependants of deceased employees, who die in harness due to the reasons other than



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Industrial Accident cannot be considered. Now, it appears that a representation has once again given by the petitioner on 16.08.2022 seeking employment under compassionate ground and the same is also rejected *vide* order, dated 25.07.2023. Once the application has been rejected and communicated to the petitioner in the year 2007, without challenging the same, again giving afresh representation for similar relief is not acceptable. At any event, the compassionate appointment is not a matter of right and it is only a concession. When the 1st respondent has taken a decision to reject the application in the year 2007 itself, now in the form of fresh representation in the year 2023, the petitioner cannot seek an employment.

5.Hence, I do not find any merit in this Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs.

25.09.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

- 1.The Chairman cum Managing Director,
NLC India Ltd.,
Corporate Office,
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- 2.The Secretary Ministry of Coal & Mines,
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N.SATHISH KUMAR, J.

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